

PATENTS

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Juan Jose Legarda Ibanez)
) Art Unit: **1614**
Serial No.: **10/622,068**)
) Examiner: **Unknown**
Filed: **July 15, 2003**)
)
For: **Use of Flumazenil in the Production of**)
A Medicament for the Treatment of)
Cocaine Dependency)

REQUEST TO CORRECT UPDATED FILING RECEIPT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached as "Exhibit A" is a copy of the Updated Filing Receipt received from the U.S. Patent and Trademark Office in the above-identified application for which issuance of a corrected updated filing receipt is respectfully requested.

The Atty. Docket No. is incorrect. The Atty. Docket No. "158235-0009" should be replaced with --55979-0200 (314570)--.

The Power of Attorney information has not been updated. The Power of Attorney "Carol Schneider—34923" should be replaced with "The patent practitioners associated with Customer No. 23370". Attached as "Exhibit B" is a copy of the PTO/SB/81

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on March 15, 2006.

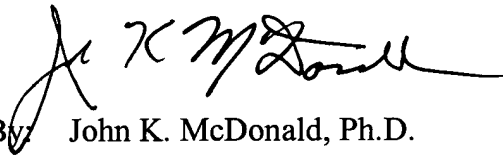

Tasha Barnes

and PTO/SB/96 forms that were filed via facsimile with the United States Patent and Trademark Office on April 1, 2005.

Enclosed as "Exhibit C" is a marked-up copy of the updated filing receipt highlighting the above-mentioned errors.

Accordingly, the applicant respectfully requests the Office to issue a Corrected Updated Filing Receipt.

Respectfully submitted,



By: John K. McDonald, Ph.D.
Reg. No. 42860

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
(404) 815-6500
Our Docket: 55979-0200 (314570)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/622,068	07/15/2003	1614	459	158235-0009		18	4

23370
JOHN S. PRATT, ESQ
KILPATRICK STOCKTON, LLP
1100 PEACHTREE STREET
ATLANTA, GA 30309

CONFIRMATION NO. 1834
UPDATED FILING RECEIPT



OC000000018154652

Date Mailed: 02/28/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

Applicant(s)

Juan Jose Legarda Ibanez, Madrid, SPAIN;

KS Docketing

Assignment For Published Patent Application

Hythiam, Inc., Los Angeles, CA

Docketed for: _____
Entered on: 3/7/06
Initials: WW
Previously Entered: _____

Power of Attorney:

Carol Schneider--34923

Domestic Priority data as claimed by applicant

This application is a CON of PCT/ES02/00061 02/08/2002

Foreign Applications

SPAIN P 200100342 02/15/2001

If Required, Foreign Filing License Granted: 10/16/2003

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/622,068**

Projected Publication Date: 06/08/2006

Non-Publication Request: No

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MAR - 2 2006

DOCKETING

Early Publication Request: No

**** SMALL ENTITY ****

Title

Use of flumazenil in the production of a medicament for the treatment of cocaine dependency

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

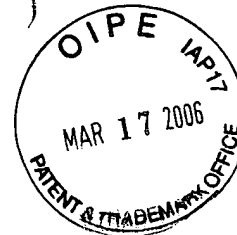
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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

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**KILPATRICK
 STOCKTON LLP**
 Attorneys at Law

Suite 2800 1100 Peachtree St.
 Atlanta GA 30309-4530
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April 1, 2005

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 JMcDonald@KilpatrickStockton.com

FAX

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
Centralized Facsimile No. GAU 1614	703.872.9306	U.S. Patent and Trademark Office Alexandria, VA 22313-1450

John K. McDonald, Ph.D.

FROM

4

PAGES (WITH COVER)

0889

REFERENCE NO

55979/314570

CLIENT/MATTER NO.

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 Initials: mes
 Previously Entered: _____

COMMENTS

Applicant: Ibanez
 Title: Use of Flumazenil in the Production of a Medicament for the Treatment of Cocaine Dependency
 Serial No./Docket No.: 10/622,068 55979/314570 (0200)
 Filing Date: 7/15/2003

EXHIBIT B



Attorneys at Law



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www.KilpatrickStockton.com

April 1, 2005

direct dial 404 745 2470
direct fax 404 541 3297
JMcDonald@KilpatrickStockton.com

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COMMENTS

Applicant: Ibanez
Title: Use of Flumazenil in the Production of a Medicament
for the Treatment of Cocaine Dependency
Serial No./Docket No.: 10/622,068 55979/314570 (0200)
Filing Date 7/15/2003

PAPERS SUBMITTED:

1. PTO/SB/21 Transmittal Form
2. PTO/SB/81 Power of Attorney Correspondence of Address Indication
3. PTO/SB/96 Statement Under 37 CFR 3.73(b)

Date: April 1, 2005
By: John K. McDonald, Ph.D., Reg. No. 42,860

TO BE COMPLETED BY KS OPERATIONS CENTER

TRANSMISSION RECEIPT DATE/TIME: _____

COMPLETED BY: _____

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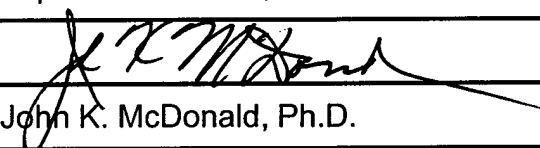
84673

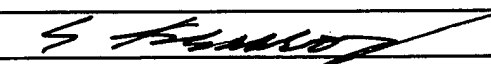
CHARLOTTE LONDON RALEIGH STOCKHOLM WASHINGTON WINSTON-SALEM

EXHIBIT B

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/622,068
		Filing Date	7/15/2003
		First Named Inventor	Ibanez
		Art Unit	1614
		Examiner Name	
Total Number of Pages in This Submission	3	Attorney Docket Number	55979/314570 (0200)

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): -PTO/SB/96 Statement Under 37 CFR 3.73(b)
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Kilpatrick Stockton, LLP		
Signature			
Printed Name	John K. McDonald, Ph.D.		
Date	April 1, 2005	Reg. No.	42,860

CERTIFICATE OF TRANSMISSION/MAILING			
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Signature			
Typed or printed name	Steve Kennedy	Date	April 1, 2005

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PTO/SB/81 (11-04)

Approved for use through 11/30/2005. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	10/622,068
Filing Date	July 15, 2003
First Named Inventor	Juan Jose Ibanez Legarda
Title	Use of Fluazepam in the Production of a Drug for the Treatment of Alcohol Dependency
Art Unit	1614
Examiner Name	Not assigned
Attorney Docket Number	55979/314570 (0200)

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

23370

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

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Individual Name

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

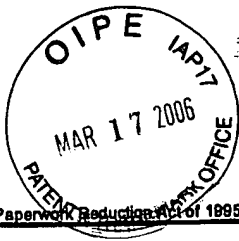
Signature	<i>Chuck Timpe</i>	Date	4/1/05
Name	Chuck Timpe	Telephone	(310) 444-4300
Title and Company	Chief Financial Officer, Hythiam, Inc.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 3 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Hythiam, Inc.

Application No./Patent No.: 10/622,068 Filed/Issue Date: July 15, 2003

Entitled: Use of Flumazenil in the Production of a Medicament for the Treatment of Cocaine Dependency

Hythiam, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4/1/05
Date
(310) 444-4300
Telephone number

Chuck Timpe
Typed or printed name
Chuck Timpe
Signature
Chief Financial Officer
Title

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55979-0200
(314510)

CONFIRMATION NO. 1834

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Juan Jose Legarda Ibanez, Madrid, SPAIN;

KS Docketing

Assignment For Published Patent Application

Hythiam, Inc., Los Angeles, CA

Docketed for:

Entered on: 3/7/06

Initials: WW

Previously Entered:

Power of Attorney:~~Carol Schneider-34923~~

The patent practitioners associated
with Customer No. 23370.

Domestic Priority data as claimed by applicant

This application is a CON of PCT/ES02/00061 02/08/2002

Foreign Applications

SPAIN P 200100342 02/15/2001

If Required, Foreign Filing License Granted: 10/16/2003

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/622,068**

Projected Publication Date: 06/08/2006

Non-Publication Request: No

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Early Publication Request: No

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Title

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date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).